



**CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE**

**DOMAIN NAME DISPUTE**

**ADMINISTRATIVE PANEL**

**DECISION**

CIIDRC case number:	<b>26322-UDRP</b>	Decision date: January 28, 2026
Domain Name:	<b>jadelavoie.com</b>	
Registrar:	<b>Namecheap Inc.</b>	
Panel:	<b>James Bridgeman SC</b>	
Complainant:	<b>Jade Lavoie</b>	
Respondent:	<b>Sylvio Bertrand</b>	

**1. PROCEDURAL HISTORY**

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre to the Panel:

- 1.1. On December 15, 2025, the Complainant filed a Complainant pursuant to the UDRP and the UDRP Rules via online platform.
- 1.2. On December 15, 2025, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and on December 16, 2026, the Registrar responded advising of the identity of the Respondent and providing the Respondent's contact details. In addition, the Registrar confirmed that the disputed domain name was placed in a Registrar LOCK.
- 1.3 The Complainant was informed of the Respondent's information as provided by the Registrar and subsequently amended the Complaint.
- 1.4 On December 30, 2025, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process.

- 1.5 Also on December 30, 2025, pursuant to UDRP Rule 4 and Supplemental Rule 5, CIIDRC notified the Respondent of this administrative proceeding and forwarded a Notice of Complaint to the Respondent.
- 1.6 The deadline for submitting a Response was set for January 19, 2026.
- 1.7 On January 5, 2026, the Respondent filed his Response to the Complaint.
- 1.8 The Complainant and the Respondent in this administrative proceeding have elected for a Panel consisting of a single member. The required Panel fee deposit was received on January 6, 2026.
- 1.9 On January 7, 2026, in accordance with Rule 5 (d), CIIDRC appointed James Bridgeman SC, as a single member Panel in the above-referenced matter and the Panel submitted his statement of acceptance and declaration of impartiality and independence to the CIIDRC.
- 1.10 On January 16, 2026, the Panel issued Procedural Order No. 1 requesting additional information from the Parties pursuant to Rule 12.
- 1.11 On January 17, 2026, the Complainant timely submitted the requested additional information.
- 1.12 On January 19, 2026, the Respondent provided the requested additional information.

The Domain Name at issue ("disputed domain name" was registered on November 5, 2012.

This matter is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the Policy) and the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) of the Internet Corporation for Assigned Names and Numbers (ICANN).

## **2. FACTS ALLEGED BY THE PARTIES**

The Complainant claims trademark rights at common law in her eponymous JADE LAVOIE mark, since 2010.

The Respondent argues that the evidence provided does not substantiate common law trademark rights predating the registration of the Disputed Domain Name <jadelavoie.com> on November 5, 2012.

## **3. CONTENTIONS OF THE PARTIES**

### **Complainant**

The Complainant claims trademark rights in her name at common law in her eponymous mark JADE LAVOI.

She submits that she is a well-known public figure and her claimed common law trademark rights in the JADE LAVOIE mark were created by extensive use of the mark since 2010 in connection with a wide range of services, including digital media content, online entertainment services, social media presence, personal brand promotion, advertising, and monetized online platforms.

The Complainant adds that through long-standing public exposure, consistent commercial use, and significant audience recognition, the JADE LAVOIE mark has become closely associated with the Complainant and she has developed a significant public presence through media appearances, digital platforms, social media, and monetized online activities, so that her name has become closely associated with her professional activities and enjoys substantial recognition among the public and has acquired strong goodwill and common law trademark rights.

Firstly, the Complainant alleges that the disputed domain name <jadelavoie.com> is identical to the Complainant's name and common law trademark JADE LAVOIE, differing only by the addition of the addition of the generic Top-Level Domain extension <.com> which may be disregarded for the purpose of assessing identity or confusing similarity under the Policy.

Accordingly, Complainant has satisfied Policy paragraph 4(a)(i).

Secondly the Complainant alleges that the Respondent has no rights or legitimate interests the disputed domain name arguing that:

- there is no evidence that the Respondent has ever used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services;
- for many years, the domain name was held passively and did not resolve to any active website;
- there is no evidence that the Respondent has been commonly known by the name "Jade Lavoie," nor that he holds any trademark or other rights corresponding to the disputed domain name;
- the Respondent has not made any legitimate non-commercial or fair use of the disputed domain name;
- the disputed domain name has not been used for commentary, criticism, or any other legitimate purpose, but instead has prevented the Complainant from using her own name as a domain name;
- recently, the Respondent has activated a webpage offering the disputed domain name for sale, confirming an intent to obtain commercial gain from a domain name corresponding exclusively to the Complainant's established personal brand; and such conduct is inconsistent with any claim of rights or legitimate interests.

Accordingly, the Complainant argues that the requirements of Policy paragraph 4(a)(ii) have also been satisfied.

Thirdly, the Complainant alleges that the disputed domain name <jadelavoie.com> was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) and paragraph 4(b) of the Policy.

In this regard the Complainant alleges that at the time the Respondent registered and acquired the disputed domain name, the Complainant's name JADE LAVOIE was already in long-standing public and commercial use and had been widely known for many years. The Respondent could not reasonably have been unaware of the Complainant when registering a domain name identical to her distinctive personal name.

The Complainant further submits that for a prolonged period, the Respondent engaged in passive holding of the disputed domain name without any legitimate use. It is contended that panels established under the Policy have consistently held that passive holding may constitute bad faith where the domain name corresponds to a well-known personal name, the respondent lacks rights or legitimate interests, and no plausible good-faith use exists.

More recently, the Respondent activated a webpage offering the disputed domain name for sale, demonstrating that the disputed domain name was registered and/or has been held primarily for the purpose of selling it for valuable consideration in excess of the Respondent's out-of-pocket costs. This conduct falls squarely within Policy paragraph 4(b)(i).

The Complainant adds that by holding the disputed domain name for many years and subsequently offering it for sale, the Respondent has prevented the Complainant from reflecting her name in a corresponding domain name, thereby interfering with her ability to control her online identity and business presence.

Taken together, it is submitted, the Respondent's knowledge of the Complainant's notoriety, the prolonged passive holding of the disputed domain name, and the subsequent offer for sale demonstrate bad faith registration and use.

Accordingly, the Complainant argues that the requirements of Policy paragraph 4(a)(iii) have also been satisfied.

## **Respondent**

In Response, the Respondent firstly denies that the Complainant had common law rights in the JADE LAVOIE mark on the date on which the disputed domain name was registered.

He observes that the Complainant claims that the JADE LAVOIE mark has functioned as a personal brand and common law trademark since approximately 2010, with significant recognition through media and online activities. However, the Respondent submits that the evidence provided does not substantiate common law trademark rights predating the registration of the disputed domain name on November 5, 2012.

The Respondent argues that the Complainant's activities appear to have gained prominence post-2012, such as joining TikTok in November 2020 and building a following on platforms like OnlyFans thereafter.

It is accepted that a Model Mayhem profile exists for the Complainant from 2010, however it is contended that this does not demonstrate widespread commercial use or secondary meaning required for common law rights in the jurisprudence under the Policy.

Secondly, the Respondent asserts that he has rights and legitimate interests in the disputed domain name which he registered in 2012 for potential personal or non-commercial use unrelated to the Complainant.

He adds that the inactivity of the disputed domain name does not negate these interests. Under Paragraph 4(c)(i) of the Policy, demonstrable preparations for bona fide use are not strictly required if there is no evidence of bad faith targeting (WIPO Overview 4.0, Section 2.9).

The Respondent accepts that he is not commonly known as “Jade Lavoie” but asserts that he holds the disputed domain name legitimately as a generic name combination. He submits that under Policy paragraph 4(c)(iii), passive holding constitutes fair non-commercial use absent intent to mislead or tarnish. No content has ever been created, eliminating confusion. The Complainant’s prior purchase inquiry and the Respondent’s reasonable response further affirm legitimacy, not commercial exploitation. Thus, the requirements of Policy paragraph 4(a)(ii) have not been met by the Complainant.

The Respondent adds that the disputed domain name was registered legally on November 5, 2012, without any intent to target or exploit the Complainant.

The Respondent further argues that no website has ever been hosted using the disputed domain name; and neither has the Respondent ever referenced or imitated the Complainant or any “Jade Lavoie.”

It is argued that the disputed domain name combines a common first name (“Jade”) and a prevalent French-Canadian surname (“Lavoie”), not exclusively identifying the Complainant.

The Respondent adds that he has previously been contacted by the Complainant via email to inquire about purchasing the disputed domain name, to which the Respondent replied that any reasonable offer would be considered. It is argued that this interaction reflects standard domain management and negates claims of extortion or bad faith. He adds that his “for sale” page is misconstrued; any openness to offers arose from the Complainant’s inquiry, not unsolicited solicitation.

Furthermore, the Respondent submits that personal names are not inherently protectable under the Policy unless they function as trademarks through substantial commercial use. The Complainant’s use appears limited and post-dates the domain’s registration in many aspects, with no registered trademark. Even famous individuals must prove trademark function as in the seminal case *Julia Fiona Roberts v. Russell Boyd*, WIPO Case No. D2000-0210).

The Respondent denies that the disputed domain name was registered or has been used in bad faith. He asserts that he registered the disputed domain name in 2012 when the Complainant's activities were nascent, and there is no evidence of awareness or targeting the Complainant.

He adds that passive holding of a disputed domain name alone is not bad faith without additional factors like a famous mark or intent to disrupt the business of the Complainant; and that no pattern of conduct (4(b)(ii)), disruption (4(b)(iii)), or attraction for gain (4(b)(iv)) exists.

Furthermore, the Respondent submits that his response to the Complainant's offer to purchase the disputed domain name was not extortionate.

In conclusion, the Respondent alleges that the Complaint constitutes reverse domain name hijacking ("RDNH") under Policy Rule 15(e), as it was brought in bad faith to deprive the Respondent of his legitimately held domain name. The Complainant knew or should have known the claim would fail, given the domain's pre-2012 registration, lack of proven prior rights, and absence of bad faith evidence.

### **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

The Respondent requests that the Panel should find RDNH and deny transfer.

## **4. DISCUSSION AND FINDINGS**

### **Requirements**

In accordance with Paragraph 4 of the Policy, the onus is on the Complainant to prove that:

1. the Domain Name is Identical or Confusingly Similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
3. the Domain Name has been registered and is being used in bad faith.

The Panel will consider each of these requirements in turn.

### **Analysis**

#### **Identical or Confusingly Similar to a Mark in which the Complainant has Rights**

The Complainant has shown that she has built an extensive reputation for her business activities using her personal name. This is not directly disputed by the Respondent whose case is that her rights were not established at the time that the disputed domain name was registered.

The evidence allows this Panel to find that she has built a protectable goodwill and trademark rights in JADE LAVOIE at common law.

As there is no element in the disputed domain name except the Complainant's mark and the generic Top Level Domain ("gTLD") extension <.com>. the Panel finds disputed domain name <jadelavoie.com> is identical to the Complainant's JADE LAVOIE mark. The gTLD extension <.com> may be ignored for the purpose of comparing the Complainant's mark with the disputed domain name as Internet users would perceive the <.com> extension as a necessary technical element for a domain name.

The Complainant has therefore succeeded in the first element of the test in Policy paragraph 4(a)(i).

### **Rights or Legitimate Interests in the Disputed Domain Name**

As this Panel finds below that the disputed domain name was not registered in bad faith it is not necessary to consider whether Respondent has rights or legitimate interests in the disputed domain name.

### **Registration and Use of the Domain Name in Bad Faith**

It is not disputed that she commenced her online business in 2010 using her personal name. Neither is it disputed that at the time of filing the Complaint the Complainant had established protectable trade mark rights at common law in her eponymous JADE LAVOIE mark.

The disputed domain name was registered on November 5, 2012.

The Respondent accepts that a Model Mayhem profile exists for the Complainant from 2010, however he argues that the evidence provided does not substantiate common law trademark rights predating the registration of the disputed domain name.

On January 16, 2026, the Panel issued a Procedural Order requesting additional information from the Parties pursuant to Rule 12.

Specifically, the Panel directed that the Complainant may provide evidence of her use of, and goodwill in the name JADE LAVOIE name in her business as an influencer in November 2012; and that the Respondent shall provide evidence to support its statement that Jade is a common first name in Canada, and Lavoie is a prevalent French-Canadian surname.

The Parties delivered timely responses to the Procedural Order.

The Complainant submitted a number of screen captures of social media postings. Some of the postings dated from prior to the registration of the disputed domain names. None of the exhibited screen captures however show that the Complainant was carrying on business in 2012 using JADE LAVOIE as a trademark.

On the other hand, the Respondent submitted that a quick search on Instagram alone for “Jade Lavoie” generates more than 55 different individuals bearing the exact same name. This demonstrates that “JADE LAVOIE” is a relatively common personal name, particularly in French-speaking regions (such as Canada, and France), and is not inherently distinctive or uniquely associated with any one person. He supported his submissions with screen captures of his Instagram search.

The Panel finds therefore that the Complainant has failed to prove that she had protectable goodwill in her name as a trademark when the disputed domain name was registered. On the balance of probabilities the Respondent was not aware of Complainant when the disputed domain name was registered; and he did not register the disputed domain name to target Complainant or her business.

This Panel finds therefore that the Complainant has failed to prove that the disputed domain name was registered in bad faith.

As the Complainant has failed to prove the third element of the test in Policy ¶ 4(a)(iii), the relief sought by the Complainant must be refused.

### **Reverse Domain Name Hijacking**

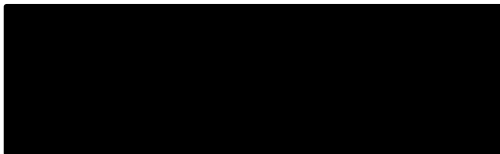
The Respondent has alleged that the Complainant has engaged in Reverse Domain Name Hijacking (RDNH) because she brought this Complaint after she had engaged with him to negotiate the purchase of the disputed domain name. The Panel finds that there is not sufficient evidence to prove Respondent's claim.

## **5 DECISION and ORDER**

For the above reasons, in accordance with Paragraph 4 of the Policy, Paragraph 15 of the Rules, and Rule 10 of the Supplemental Rules, the Panel orders that: the Claimant's application is refused. The domain name <jadelavoie.com> shall remain with the Respondent.

Made as of January 29, 2026

SIGNATURE OF PANEL



James Bridgeman SC

